



## Memorandum

**TO:** RULES AND OPEN GOVERNMENT  
COMMITTEE

**FROM:** Councilmember  
Donald Rocha

**SUBJECT:** SB 1151 (CANNELLA)

**DATE:** April 23, 2014

Approved

*Don Rocha*

Date

*4/23/14*

### RECOMMENDATION

That the Rules Committee agendaize Council consideration of a support position on SB 1151 (Cannella.)

### ANALYSIS

#### **Bill Synopsis**

This bill would allow an additional fine of \$35 be imposed if a traffic violation occurred when passing a school building or school grounds. The bill would require that these additional fines be deposited in the State Transportation Fund for purposes of funding school zone safety projects within the Active Transportation Program (see attached for full bill text.)

#### **Reason to Support**

If a motorist receives a traffic citation in a construction zone, they can be subject to additional fines. The same is not currently true for citations received in school zones. SB 1151 would change that by imposing an enhanced fine in school zones.

Traffic safety around schools is one of the top concerns I hear from constituents, and I know my colleagues probably hear similar concerns. The City has made investments in school safety—notably by including funding for traffic calming in the budget—but there's always more we can do. In particular, given the State's role in setting rules around traffic enforcement, it's helpful when they can give us additional tools. This bill provides an opportunity to enhance the deterrent effect of enforcement.

An additional fine won't solve all problems around schools, but given the importance of school safety to our community, I think we need to pursue every advantage that we can.

AMENDED IN SENATE APRIL 21, 2014

SENATE BILL

No. 1151

---

Introduced by Senator Cannella

February 20, 2014

---

An act to add Section 42011 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1151, as amended, Cannella. Vehicles: school zone fines.

Existing law, in the case of specified violations relating to rules of the road and driving under the influence, doubles the fine in the case of misdemeanors, and increases the fine, as specified, in the case of infractions, if the violation is committed by the driver of a vehicle within a highway construction or maintenance area during any time when traffic is regulated or restricted by the Department of Transportation or local authorities pursuant to existing law or is committed within a designated Safety Enhancement Double Enhancement-Double Fine Zone.

This bill would ~~additionally~~ *also* require that ~~fin~~ *an additional fine of \$35 be imposed* if the violation occurred when passing a school building or school grounds, as specified, and the highway is posted with a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone. The bill would require that these additional fines be deposited in the State Transportation Fund for purposes of *funding school zone safety projects within* the Active Transportation Program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 42011 is added to the Vehicle Code, to  
2 read:

3 42011. (a) For any offense specified in subdivision (b) that is  
4 committed by the driver of a vehicle under either of the following  
5 conditions, ~~the fine in a misdemeanor case shall be double the base~~  
6 ~~amount otherwise prescribed, not including any penalty~~  
7 ~~assessments or other fees or additions, and in an infraction case,~~  
8 ~~the fine shall be one category higher than the penalty otherwise~~  
9 ~~prescribed by the uniform traffic penalty schedule established~~  
10 ~~pursuant to Section 40310, not including a fine of thirty-five dollars~~  
11 ~~(\$35) shall be imposed in addition to the amount otherwise~~  
12 ~~prescribed and any penalty assessments or other fees or additions:~~

13 (1) When passing a school building or the grounds thereof, if  
14 the building or grounds are contiguous to a highway and posted  
15 with a standard "SCHOOL" warning sign and an accompanying  
16 sign notifying motorists that increased penalties apply for traffic  
17 violations that are committed within that school zone, and children  
18 are going to or leaving the school ~~either during school hours or,~~  
19 ~~during the noon recess period, or during school-sponsored~~  
20 ~~activities.~~

21 (2) When passing any school grounds that are not separated  
22 from the highway by a fence, gate, or other physical barrier while  
23 the grounds are in use by children, and the highway is posted with  
24 a standard "SCHOOL" warning sign and an accompanying sign  
25 notifying motorists that increased penalties apply for traffic  
26 violations that are committed within that school zone.

27 (b) A violation of any of the following provisions is an offense  
28 that is subject to subdivision (a):

29 (1) Article 3 (commencing with Section 21450) of Chapter 2  
30 of Division 11, relating to obedience to traffic devices.

31 (2) Chapter 3 (commencing with Section 21650) of Division  
32 11, relating to driving, overtaking, and passing.

33 (3) Chapter 4 (commencing with Section 21800) of Division  
34 11, relating to yielding the right-of-way.

35 (4) Chapter 6 (commencing with Section 22100) of Division  
36 11, relating to turning and stopping and turn signals.

37 (5) Chapter 7 (commencing with Section 22348) of Division  
38 11, relating to speed limits.

- 1 (6) Chapter 8 (commencing with Section 22450) of Division
- 2 11, relating to special traffic stops.
- 3 (7) Section 23103, relating to reckless driving.
- 4 (8) Section 23104, relating to reckless driving which results in
- 5 bodily injury to another.
- 6 (9) Section 23109, relating to speed contests.
- 7 (10) Section 23152, relating to driving under the influence of
- 8 alcohol or a controlled substance, or a violation of Section 23103,
- 9 as specified in Section 23103.5, relating to alcohol-related reckless
- 10 driving.
- 11 (11) Section 23153, relating to driving under the influence of
- 12 alcohol or a controlled substance, which results in bodily injury
- 13 to another.
- 14 (12) Section 23154, relating to convicted drunk drivers operating
- 15 a motor vehicle with a blood-alcohol concentration of 0.01 percent
- 16 or greater.
- 17 (13) Section 23220, relating to drinking while driving.
- 18 (14) Section 23221, relating to drinking in a motor vehicle while
- 19 on the highway.
- 20 (15) Section 23222, relating to driving while possessing
- 21 marijuana or an open alcoholic beverage container.
- 22 (16) Section 23223, relating to being in a vehicle on the highway
- 23 while possessing an open alcoholic beverage container.
- 24 (17) Section 23224, relating to being a driver or passenger under
- 25 21 years of age possessing an open alcoholic beverage container.
- 26 (18) Section 23225, relating to being the owner or driver of a
- 27 vehicle in which there is an open alcoholic beverage container.
- 28 (19) Section 23226, relating to being a passenger in a vehicle
- 29 in which there is an open alcoholic beverage container.
- 30 (c) The additional fines authorized by this section shall be
- 31 deposited in the State Highway Account in the State Transportation
- 32 Fund for purposes of *funding school zone safety projects within*
- 33 the Active Transportation Program established in Chapter 8
- 34 (commencing with Section 2380) of Division 3 of the Streets and
- 35 Highways Code.